

## Senate Amendment 5257

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1 1 Amend Senate File 2378 as follows:  
1 2 #1. Page 31, after line 9 by inserting:  
1 3 <Sec. \_\_\_\_\_. Section 80.15, Code 2009, is amended to  
1 4 read as follows:  
1 5 80.15 Examination == oath == probation == discipline  
1 6 == dismissal.  
1 7 1. a. An applicant to be a peace officer in the  
1 8 department shall not be appointed as a peace officer  
1 9 until the applicant has passed a satisfactory physical  
1 10 and mental examination. ~~in addition, the~~  
1 11 b. ~~The applicant must also be a citizen of the~~  
1 12 ~~United States and. However, an applicant who has~~  
1 13 ~~permanent resident status, who provides proof of~~  
1 14 ~~application for United States citizenship, and who is~~  
1 15 ~~sponsored by a local law enforcement agency that has~~  
1 16 ~~provided the applicant with law enforcement employment~~  
1 17 ~~shall also be accepted.~~  
1 18 c. ~~The applicant may not be not less than~~  
1 19 ~~twenty-two years of age. However, an applicant~~  
1 20 ~~applying for assignment to provide protection and~~  
1 21 ~~security for persons and property on the grounds of~~  
1 22 ~~the state capitol complex or a peace officer candidate~~  
1 23 ~~shall not be less than eighteen years of age.~~  
1 24 2. The mental examination shall be conducted under  
1 25 the direction or supervision of the commissioner and  
1 26 may be oral or written or both.  
1 27 3. An applicant shall take an oath on becoming a  
1 28 peace officer of the department, to uphold the laws and  
1 29 Constitution of the United States and Constitution of  
1 30 the State of Iowa.  
1 31 4. a. During the period of twelve months after  
1 32 appointment, a peace officer of the department is  
1 33 subject to dismissal at the will of the commissioner.  
1 34 b. After the twelve months' service, a peace  
1 35 officer of the department, who was appointed after  
1 36 having passed the examinations, is not subject to  
1 37 dismissal, suspension, disciplinary demotion, or  
1 38 other disciplinary action resulting in the loss of pay  
1 39 unless charges have been filed with the department  
1 40 of inspections and appeals and a hearing held by the  
1 41 employment appeal board created by section 10A.601,  
1 42 if requested by the peace officer, at which the peace  
1 43 officer has an opportunity to present a defense to the  
1 44 charges.  
1 45 c. The decision of the appeal board is final,  
1 46 subject to the right of judicial review in accordance  
1 47 with the terms of the Iowa administrative procedure  
1 48 Act, chapter 17A. ~~However, these~~  
1 49 ~~d. These~~ procedures as to dismissal, suspension,  
1 50 demotion, or other discipline do not apply to a peace  
2 1 officer who is covered by a collective bargaining  
2 2 agreement which provides otherwise, and do not apply  
2 3 to the demotion of a division head to the rank which  
2 4 the division head held at the time of appointment as  
2 5 division head, if any. A division head who is demoted  
2 6 has the right to return to the rank which the division  
2 7 head held at the time of appointment as division head,  
2 8 if any.  
2 9 e. All rules, except employment provisions  
2 10 negotiated pursuant to chapter 20, regarding the  
2 11 enlistment, appointment, and employment affecting the  
2 12 personnel of the department shall be established by  
2 13 the commissioner in consultation with the director of  
2 14 the department of administrative services, subject to  
2 15 approval by the governor.>  
2 16 #2. By renumbering as necessary.

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RON WIECK  
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